



**HISTORIC LANDMARKS COMMISSION  
SYNOPSIS**

**NOVEMBER 6, 2002**

**6:00 P.M.**

**CITY HALL, ROOM 204**

**801 NORTH FIRST STREET  
San Jose, CA**

**COMMISSION MEMBERS**

**GLORIA SCIARA, CHAIR  
STEPHEN POLCYN, VICE CHAIR**

**AVELINO LEGASPI  
MICHAEL YOUMANS**

**SANDRA PAIM  
JUSTINE LEONG**

**STEPHEN M. HAASE, AICP, DIRECTOR  
DEPARTMENT OF PLANNING, BUILDING AND CODE  
ENFORCEMENT**

## **NOTE**

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting.

## **NOTICE TO THE PUBLIC**

Good evening, my name is **Gloria Sciara**, and I am the Chair of the Historic Landmarks Commission. On behalf of the Commission, I would like to welcome you to tonight's meeting. I will now call to order the **November 6, 2002**, meeting of the Historic Landmarks Commission. Please remember to turn off your cell phones and pagers.

When addressing the Commission, please approach the Commission, identify yourself and state your address for our records. After you have finished speaking, please write your name and address on the speaker's list at the end of the table.

### **The procedure for public hearings is as follows:**

- After the staff report, applicants may make a five-minute presentation.
- Anyone wishing to speak in favor of the proposal should prepare to come forward. Each speaker will have two minutes.
- After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. Each speaker will have two minutes.
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Commission will then close the public hearing. The Historic Landmarks Commission will take action on the item.

### **The procedure for referrals is as follows:**

- Anyone wishing to speak on a referral will be limited to one minute.
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Historic Landmarks Commission will comment on the referral item.

**If a Commissioner would like a topic to be addressed under one of the Good and Welfare items, please contact Planning staff in advance of the Commission meeting.**

An agenda and a copy of all staff reports have been placed on the end of the table for your convenience.

## **AGENDA**

### **ORDER OF BUSINESS**

#### **6:00 PM SESSION**

#### **1. ROLL CALL**

**ALL PRESENT**

#### **2. DEFERRALS**

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the table. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

- a. **HP01-06-010. HISTORIC PRESERVATION PERMIT, H01-06-049. SITE DEVELOPMENT PERMIT, AND V02-013. DEVELOPMENT VARIANCE** for a project located on the northeast corner of North Fourth Street and East Julian Street, on a 0.07-gross-acre site, in the CO, Commercial Office Zoning District to demolish an existing residential structure, (contributing structure), and to construct a 2,320 square foot office in the Hensley Historic District (Thang Vu, Owner/Developer). Council District 3. CEQA: Exempt. Defer to 12/4/02.

**DEFERRED TO 12/4/02.**

- b. **PDC02-077. PLANNED DEVELOPMENT REZONING** from LI, Light Industrial District to A(PD), Planned Development District to allow up to 40 single-family attached residences on a 0.6-gross-acre site, located at/on the northeast corner of North First Street and Julian Street, (320 North First Street) (Redevelopment Agency, Owner; Regis Homes, Developer). Council District 3. CEQA: Use of Master EIR.

**DEFERRED TO 12/4/02.**

#### **3. CONSENT CALENDAR**

##### **NOTICE TO THE PUBLIC**

**The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time.**

- a. Approval of the October 2, 2002 Synopsis

**APPROVED (5-0-1).**

- b. **HP02-020. HISTORIC PRESERVATION PERMIT** for a project located at the northwestern corner of Naglee Avenue and Dana Avenue, on a 11-gross-acre site, in the R-1-8 Residence Zoning District for exterior alterations, including the addition of a 1,056 square foot maintenance building and accessibility improvements, to The Municipal Rose Garden (City Landmark #HS95-102) (City of San Jose, attn. Julie Mark, Deputy Director of Parks, Recreation and Neighborhood Services, Owner/Developer). Council District 6. CEQA: Exempt.

**RECOMMEND APPROVAL (6-0-0).**

The following items are considered individually.

#### **4. PUBLIC HEARINGS**

- a. **MA02-001. HISTORIC PROPERTY CONTRACT** concerning the Clara Louise Lawrence Residence, HL01-142, located at the east side of Randol Avenue, approximately 180 feet southerly of The Alameda, 1146 Randol Avenue (Eaglecreek Associates II, Owner). Council District 6. CEQA: Exempt (Denial). Deferred from 9/4/02.

**NEIGHBORHOOD CONCERN WAS EXPRESSED IN AN EMAIL TO PLANNING STAFF QUESTIONING THE AWARD OF AN INCENTIVE FOR A PROJECT THAT RESULTED IN THE TOTAL RECONSTRUCTION OF THE HOUSE. THE LANDMARKS COMMISSIONERS VOICED THEIR CONCERN THAT THE PROJECT DOES NOT THEREFORE MEET THE SECRETARY OF THE INTERIOR'S STANDARDS. THE HP PERMIT ISSUED FOR THE SITE SPECIFIED COMPLIANCE, BUT A SITE CHECK REVEALED THAT WINDOWS AND STUCCO HAD BEEN REPLACED.**

**RECOMMEND THAT THE CITY COUNCIL DENY THE HISTORICAL PROPERTY CONTRACT AND MAKE THE FOLLOWING FINDING:**

- 1. BASED UPON THE COMPLETE REPLACEMENT OF WINDOWS AND EXTERIOR WALL MATERIAL THE PROJECT DOES NOT COMPLY WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS AS CALLED OUT IN THE PLANNED DEVELOPMENT PERMIT PD01-08-095, AND THEREFORE, DOES NOT COMPLY WITH THE REQUIRED PROVISIONS**

**OF HISTORICAL PROPERTY CONTRACTS AND THE DRAFT  
HISTORIC LANDMARK, PRESERVATION AGREEMENT.**

- 2. THAT THE BUILDING REMAIN AS A CITY LANDMARK.  
SHOULD THE OWNER WISH TO RESCIND THE  
DESIGNATION, THAT PLANNING STAFF WORK WITH THE  
OWNER TO DO SO.**

**(6-0-0)**

**5. PETITIONS AND COMMUNICATIONS**

This portion of the agenda is reserved for persons desiring to address the Commission on any matter not on the agenda. Speakers are limited to 2 minutes. The law does not permit Commission action or extended discussion on any item not on the agenda except under special circumstances. If Commission action is requested, the matter can be placed on the next agenda. All statements that require a response will be referred to staff for reply in writing.

- a. San Pedro Square Historic Marker Program

**DOLORES MELLON SPOKE TO SAY THAT THE SAN PEDRO SQUARE  
ASSOCIATION INVITES COMMISSIONERS TO COMMENT ON THE  
PROGRAM.**

- b. San Jose Museum of Art Clock Tower Project

**MUSEUM EXECUTIVE DIRECTOR, DAN KEEGAN, GAVE A BRIEF  
OVERVIEW OF PROPOSED PLANS TO RECONSTRUCT THE CLOCK  
TOWER.**

- c. Alviso Hope Street Improvement Project

**PLANNING STAFF IS RESEARCHING THE STATUS OF THE COMPLAINT  
REGARDING THIS PROJECT, SUBMITTED AS A WRITTEN PETITION AT  
THE OCTOBER LANDMARKS COMMISSION MEETING.**

**6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER  
AGENCIES**

- a. **AD02-907. SITE ADJUSTMENT** for a project located at 33 North Eighth Street on a 0.55-gross-acre site, in the General Commercial District for the replacement of exterior windows and doors to an existing daycare facility (San Jose Day Nursery, Owner/Developer). Council District 3. CEQA: Exempt.

**HISTORIC LANDMARKS COMMISSION FINDS THAT THE PROPOSED PROJECT IS IN COMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS AND REFERS THE PROJECT TO THE STATE HISTORIC PRESERVATION OFFICER FOR CONCURRENCE, PURSUANT TO NHPA REQUIREMENTS FOR CDBG FUNDING IN CONFORMANCE WITH THE PROGRAMMATIC AGREEMENT AMONG THE CALIFORNIA OFFICE OF HISTORIC PRESERVATION, ADVISORY COUNCIL ON HISTORIC PRESERVATION AND THE CITY OF SAN JOSE.**

**RECOMMEND APPROVAL (6-0-0).**

**THE COMMISSION SUGGESTS THE OWNER/CITY PURSUE HISTORIC LANDMARK DESIGNATION.**

- b. **SP02-057. SPECIAL USE PERMIT** to demolish a single-family residence for lot combination on a 0.46-gross-acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the west side of Lupton Avenue, approximately 520 feet southerly of Minnesota Avenue, (1465 Lupton Avenue) (Wallace Mary K et al, McClellan Rebecca Trustee & et al, The Jarvis Trust, Owner). Council District 6. CEQA: Exempt.

**COMMISSIONERS STATED DISAPPOINTMENT THAT A HOUSE WHICH QUALIFIES FOR THE HISTORIC RESOURCES INVENTORY WOULD BE DEMOLISHED. COMMISSIONERS RECOMMENDED THE OWNER/DEVELOPER PUBLISH THE HOUSE FOR RELOCATION FOR A MINIMUM OF SIXTY DAYS AND CONTRIBUTE THE COST OF DEMOLITION TO RELOCATION. THE OWNER'S REPRESENTATIVE ALSO OFFERED PHOTO DOCUMENTATION OF THE HOUSE.**

- c. **PDA98-063-02. PLANNED DEVELOPMENT AMENDMENT PERMIT** for removal of one (1) Date Palm tree 82 inches in circumference, on a 7.0-gross-acre site, in the A(PD), Planned Development Zoning District, located at/on the east side of Almaden Expressway, approximately 500 feet southerly of Alma Avenue, (1524 Almaden Road) (Mid Peninsula Housing, Owner). Council District 7. CEQA: Exempt.

**COMMISSIONERS EXPRESSED CONCERN ABOUT THE APPLICANT'S HISTORY OF DEMOLITION.**

**As recommended by staff, the Historic Landmarks Commission:**

1. **Recommends that City staff continue to work with the applicant to determine whether Class C cedar shingles for the LoCurto House may be applied, and if not explore roofing options that are Class C**

equivalent and consistent with the LoCurto House designation as a City Landmark.

2. Finds that the removal of the two trees located within the Historic Gardens area will not significantly impact the historic significance of the gardens.
3. Finds that the proposed conceptual garden restoration and planting plans are consistent with the approved HP permit.
4. Recommends approval of the Planned Development Permit Amendment to remove one date palm in the historic gardens to the Director of Planning.

- d. New San Jose Civic Center Off-Site Parking Garage (Fourth/Fifth Street Garage)

**PUBLIC WORKS STAFF PROVIDED AN OVERVIEW OF THE GARAGE PROJECT.**

**COMMISSION MEMBERS VOICED CONCERNS REGARDING THE PROJECT STATING THAT THE SCALE OF THE PARKING GARAGE IS OUT OF PROPORTION TO THE LANDMARK DONNER HOUSE AND THAT THE LOCATION OF THE GARAGE NEGATIVELY IMPACTS THE LIGHT, OPEN SPACE AND VENTILATION OF THE HISTORIC STRUCTURE AND SITE.**

**KATE BORUFF REPRESENTING THE PRESERVATION ACTION COUNCIL OF SAN JOSE (PAC SJ) STATED PAC SJ CONCERNS REGARDING THE IMPACTS OF THE GARAGE TO THE DONNER HOUSE AND SUBMITTED A LETTER REQUESTING ADDITIONAL ENVIRONMENTAL REVIEW OF THE PROJECT.**

**NORVAL NELSON REPRESENTING THE SAN JOSE RESIDENCE CLUB, INC. SPOKE IN OPPOSITION TO THE GARAGE AND SUBMITTED A LETTER REQUESTING ADDITIONAL ENVIRONMENTAL REVIEW OF THE PROJECT.**

**THE COMMISSION ASKED THAT A LETTER BE SENT TO THE RDA ON BEHALF OF THE COMMISSION STATING THE FOLLOWING CONCERNS:**

- **HLC IS IN OPPOSITION TO THE CURRENTLY PROPOSED GARAGE**
- **THE GARAGE IS INSENSITIVE TO ITS SURROUNDINGS**

- **THE ENVIRONMENT IS IMPORTANT TO HISTORIC STRUCTURES IN THE AREA AND THE GARAGE WILL NEGATIVELY IMPACT THE ENVIRONMENT**
- **HLC IS CONCERNED REGARDING THE IMPACTS ON LIGHT, AIR, VENTILATION OF THE HISTORIC LANDMARK AS WELL AS POTENTIAL FUMES THAT MAY BE GENERATED AT THE GARAGE**
- **THE SCALE, HIEGHT AND FORM OF THE GARAGE IS MASSIVE AND OUT OF SCALE WITH THE NEIGHBORHOOD**
- **THERE SHOULD BE A GREATER SETBACK BETWEEN THE DONNER HOUSE AND THE GARAGE**
- **HLC RECOMMENDS CONSIDERATION OF DEEPER EXCAVATATION TO LESSEN THE HEIGHT OF THE GARAGE**
- **HLC WOULD LIKE TO SEE A REDESIGN OF THE GARAGE THAT MAY INCLUDE GRADUATED HEIGHT**
- **HLC ALSO NOTED CONCERNS REGARDING THE IMPACTS OF THE GARAGE ON OTHER HISTORIC BUILDINGS INCLUDING THE FOX THEATER.**

## **7. GOOD AND WELFARE**

### **a. Report from Redevelopment Agency**

- Update and discussion regarding the Downtown Historic Commercial District Design Guidelines
- Update and discussion regarding the Diridon/Arena Strategic Development Plan

**ANDRE LUTARD, A MEMBER OF THE PUBLIC, VOICED CONCERNS REGARDING THE NEED TO CONDUCT HISTORIC EVALUATIONS OF BUILDINGS IN THE DIRIDON STRATEGIC PLAN AREA. ADDITIONAL CONCERNS WERE RAISED REGARDING PROPOSED NEW CONSTRUCTION ADJACENT TO THE HISTORIC STATION, AND THE NEED TO RESPECT THE STATION.**



- Update and discussion regarding the SoFA Strategic Development Plan
- Update and Discussion regarding the CIM Mixed Use Project

**ON JUNE 25, 2002, THE AGENCY BOARD APPROVED AN EXCLUSIVE NEGOTIATIONS AGREEMENT (ENA) WITH THE CIM GROUP WHICH EXPIRES DECEMBER 20, 2002. THE ENA REQUIRES CIM TO PROPOSE A PROGRAM OF DEVELOPMENT ON UP TO FIVE DOWNTOWN PARCELS, FEATURING A CRITICAL MASS OF NEW LOCAL, REGIONAL AND NATIONAL RETAILERS AND A MIX OF RENTAL AND FOR-SALE HOUSING.**

**THE FIVE SITES ARE SPECIFIED IN THE ENA:**

- **THE DR. EU BUILDINGS AT 35-39 AND 43-49 EAST SANTA CLARA STREET**
- **THE WESTERN DENTAL BUILDING AT 42-48 EAST SANTA CLARA STREET**
- **THE 2<sup>ND</sup> AND SANTA CLARA PARKING LOT (ADJACENT TO ZANOTTO'S)**
- **THE FOUNTAIN ALLEY PARKING LOT**
- **THE BLOCK 3 PARKING LOT (ADJACENT TO REPERTORY THEATRE)**

**CIM GROUP PRESENTED CONCEPTUAL PLANS TO THE AGENCY BOARD AT A PUBLIC STUDY SESSION ON SEPTEMBER 23, 2002, AND ARE SCHEDULED TO PRESENT PLANS TO THE PLANNING COMMISSION AT A STUDY SESSION ON NOVEMBER 13, 2002.**

**COMMISSIONER EMERETUS HENDERSON STATED SUPPORT FOR INCREASING THE DENSITY ON BLOCK 3 IN ORDER TO RELIEVE PRESSURE TO INCREASE DENSITY ON OR ADJACENT TO HISTORIC SITES.**

b. Report from the Secretary

- Environmental Review Documents  
Administrative Draft EIRs—none

**PLANNING STAFF EXPLAINED TO THE COMMISSION THAT A DRAFT EIR ON THE SAN JOSE WATER COMPANY IS BEING PREPARED AND IS EXPECTED TO BE ISSUED AFTER THE FIRST OF THE YEAR**

- Landmarks Commission Retreat—tentative date of Wednesday, January 22, 2003, San Jose Museum of Art

**COMMISSION MEMBERS VOICED A PREFERENCE FOR A FRIDAY DATE**

- Request for information on status of project at 274 South 15<sup>th</sup> Street—no staff report
  - Comments needed on the City of San Jose Draft Design Guidelines for the Treatment of Historic Resources--by November 12, 2002
- c. Report on the California Preservation Foundation Design Solutions Workshop
- d. Report from the Subcommittees
- Design Review
  - Standard permit language for Historical Archeology
  - St. James Park
  - *Ad Hoc* Survey Committee

**8. ADJOURNMENT**

**APPROVED (5-0-1). POLCYN ABSENT.**

## **2002 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE**

<b>DATE</b>	<b>TIME</b>	<b>TYPE OF MEETING</b>	<b>LOCATION</b>
November 6	3:30 p.m.	Study Session	Room 204
November 6	6:00 p.m.	Regular Meeting	Room 204
December 4	3:30 p.m.	Study Session	Room 204
December 4	6:00 p.m.	Regular Meeting	Room 204
January 8, 2003	6:00 p.m.	Regular Meeting	Room 204

### **HISTORIC LANDMARKS AGENDA ON THE WEB:**

<http://www.ci.san-jose.ca.us/planning/sjplan/Hearings/hearings2002.htm>